

REMARKS

This application has been reviewed in light of the Office Action dated February 18, 2003. Claims 1, 4, 7, 17-20, and 27-31 are pending in this application, of which Claims 1 and 20 are in independent form. Claims 1, 4, 7, 17, 18, 20, and 27-30 have been amended to define still more clearly what Applicants regard as their invention, in terms that distinguish over the art of record. Favorable reconsideration is requested.

The Office Action rejected Claims 1, 4, 7, 17-20, and 27-31 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,938,735 (Malik) in view of U.S. Patent No. 6,453,343 (Housel, III et al.). Applicants respectfully traverse this rejection.

The aspect of the present invention set forth in Claim 1 is a communication system that includes a controller, a destination node, and a source node. The source node is adapted to transfer object data to the destination node asynchronously using the first or the second communication protocol selected by the controller. The controller is adapted to obtain information about a communication capability of the source node from a first register of the source node, and to obtain information about a communication capability of the destination node from a first register of the destination node. The controller can select a first or a second communication protocol using the information obtained from the first registers to set a logical connection between the source node and the destination node, to store information indicating the selected communication protocol and information for the selected communication protocol in a second register of the source node, and to store information indicating the selected communication protocol and information for the selected communication protocol in a second register of the destination node.

One important feature of Claim 1 is that the second register of each of the source node and destination node stores information indicating a communication protocol selected by the controller and information for the selected communication protocol.

Malik, as understood by Applicants, relates to a system for establishing optimized ISDN communication by identifying common communication attributes of destination and source terminals prior to establishing a communication link there between. The Office Action, at page 3, states (and Applicants agree) that “Malik fails to teach storing information about the communication protocol and logical connection at the source and destination nodes in a second register.”

Housel, III et al., as understood by Applicants, relates to methods, systems, and computer program products for maintaining a common checkpoint cache for multiple sessions between a single client and server. The Office Action states, at page 3, that “Housel teaches storing information about the communication protocol and logical connection at the source and destination nodes in a second register.” However, Applicants have found nothing in Housel, III et al. that would teach or suggest a second register that stores information indicating a communication protocol selected by a controller of a communication system and information for the selected communication protocol, as recited in Claim 1.

Applicants submit that, at least for the reason discussed above, the proposed combination of Malik and Housel, III et al., assuming such combination would even be permissible, would still fail to teach or suggest a second register of each of the source node and destination node that stores information indicating a communication protocol selected by the controller and information for the selected communication protocol, as recited in

Claim 1. Accordingly, Applicants submit that Claim 1 is patentable over these two patents, taken separately or in any proper combination.

Independent Claim 20 is a method claim that corresponds to communication system Claim 1, and is believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

The other rejected claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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